

The Honorable Tana Lin  
United States District Judge

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KURT A. BENSHOOF, and BRIANA D. GAGE,	)	
	)	No. 2:24-cv-00343-TL
Plaintiffs,	)	
v.	)	DECLARATION OF ANN
	)	SUMMERS IN SUPPORT OF
CITY OF SHORELINE, KING COUNTY,	)	SHORELINE AND KING COUNTY
TOWN & COUNTRY MARKETS, EVAN B.	)	DEFENDANT'S MOTION TO
FAGAN, WILLIAM C. AKERS and MR.	)	DISMISS PURSUANT TO
THOMPSON,	)	FRCP 12 ( c )
	)	
Defendants.	)	
	)	

I, Ann Summers, declare as follows:

1. I am over the age of 18 and I am competent to testify as to the matters stated herein. I am the representing the Plaintiffs in this case.
2. Attached as Exhibits A is a true and correct copy of the City of Shoreline Police Trespass Program Criminal Trespass Order/Admonishment issued to Kurt Benshoof on April 9, 2021.
3. I am aware of this Court's standing order that requires parties to make a meaningful effort to confer prior to filing a motion. In my email communications with Benshoof in this matter, he has accused me of various crimes, including fraud and misappropriation of public funds, and has been extremely disrespectful. Ex. C; Dkt. 25. Benshoof has a

DECLARATION OF SUMMERS RE: MOTION TO  
DISMISS [No. 3:24-cv-00343-TL] - 1

**Leesa Manion (she/her)**  
Prosecuting Attorney  
CIVIL DIVISION, Litigation Section  
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1 history of harassing behavior toward attorneys and judges. *See Benshoof et al. v. Admon*  
2 *et al.*, 2:23-cv-1392-JNW, *Benshoof v. Keenan*, 2:23-cv-00751-RAJ, *Benshoof v.*  
3 *Keenan*, 2:24-cv-00382-JNW, and *Benshoof v. Ferguson*, 2:24-cv-00808-JHC. In light  
4 of these facts, I believe that there is no possibility of meaningfully conferring with  
5 Benshoof on the present motion, and did not attempt to do so. At the time of this filing  
6 Benshoof was incarcerated in the King County Jail pending multiple criminal charges.  
7 I declare under penalty of perjury under the laws of the United States of America and the  
8 State of Washington that the foregoing is true and correct.

9 Signed this 30<sup>th</sup> day of August, 2024 at Seattle, Washington.

10 

11 ANN M. SUMMERS

# Exhibit A

Case # C21010957

(no signature required)



You are not under arrest. You are being advised that the Shoreline Police Department has been requested to enforce a no loitering/no trespassing policy by the property owners. If you are contacted at this location again, loitering or trespassing, you will be issued a trespass warning and will not be allowed to return for a period of one year.

(trespass admonishment/signature required)



### CITY OF SHORELINE TRESPASS PROGRAM CRIMINAL TRESPASS ORDER/ADMONISHMENT

I acknowledge that I have been advised of the Shoreline Criminal Code Trespass Law, SCC 9A.52.080. I know that I am subject to arrest for criminal trespass if I am found at this location again. I understand that my refusal to sign this form does not relieve me from criminal prosecution should I ignore this warning. I further acknowledge that I was given a copy of this order by a Shoreline Police Officer.

NOT OBTAINED  
DUE TO COVID

Subject's Signature

Officer's Name

Officer's Serial #

Date 04/09/21 Time 1052 Business Name CENTRAL MARKET

Address 15505 WESTMINSTER WAY City SHORELINE ZIP 98133

### SUBJECT DESCRIPTION

Name BENSHOFF, KURT A

Address [REDACTED] City SEATTLE Zip 98103

Race [REDACTED] Sex M DOB [REDACTED]

Height 6.00 Weight 175 Hair [REDACTED] Eyes BLU

Other [REDACTED] DOL # [REDACTED] Phone Number [REDACTED]